

<u>SUBJECT</u>		<u>DATE</u>
1448.	Definitions of Inactive Portion, Active Portion and Closed Portion of a RCRA TSDF	AUG 12, 2021
1449.	Dangerous Waste Designations and Dangerous Waste Code Determinations	AUG 19, 2021
1450.	Method Detection Limits and Hazardous Waste Determinations	ENCORE AUG 26, 2021
1451.	Method Detection Limits and Hazardous Waste Determinations II	ENCORE SEP 2, 2021
1452.	Totals Analysis vs. TCLP and Dividing by 20	ENCORE SEP 9, 2021
1453.	Decharacterized RCRA Waste - Manifesting and LDR Reporting	ENCORE SEP 16, 2021
1454.	Decharacterized Hazardous Waste Listed Solely for Non-Toxic Characteristics	ENCORE SEP 23, 2021
1455.	Decharacterized Wastes and the LDR Dilution Prohibition	ENCORE SEP 30, 2021
1456.	The "Derived from Rule", the "Mixtures Rule", and the "Contained-In Policy"	ENCORE OCT 7, 2021
1457.	Hazardous Debris and Options to Exclude as a Dangerous Waste	OCT 14, 2021
1458.	Regulatory Status of Characteristic Baghouse Dust Destined for Reclamation	OCT 21, 2021
1459.	RCRA Point of Generation and Baghouse Dust Collection Systems	OCT 28, 2021

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TWO MINUTE TRAINING

TO: CENTRAL PLATEAU CLEANUP COMPANY

FROM: PAUL W. MARTIN, RCRA Subject Matter Expert
CPCCo Environmental Protection, Hanford, WA

SUBJECT: RCRA POINT OF GENERATION AND BAGHOUSE DUST COLLECTION SYSTEMS

DATE: OCTOBER 28, 2021

<u>CPCCo Projects</u>	<u>CPCCo Functionals</u>	<u>HMIS</u>	<u>Hanford Laboratories</u>	<u>Other Hanford Contractors</u>	<u>Other Hanford Contractors</u>
Richard Austin Tania Bates Bob Cathel Rene Catlow Richard Clinton Randal Fox Bailey Hardy Stuart Hildreth Sarah Horn Sasa Kosjerina Richard Lipinski Carlie Michaelis Stuart Mortensen Dave Richards Deborah Singleton Sean Sexton Dave Shea Phil Sheely Kat Thompson Jeff Westcott	Jeff Bramson Bob Bullock Frank Carleo Danielle Collins Jennifer Copeland Jeanne Elkins Ryan Fisher Jonathan Fullmer Leah Hare Steve Heninger John Hultman Julie Johanson Diane Leist Mitch Marrott Stewart McMahand Brian Mitcheltree Anthony Nagel Chris Plager Linda Petersen Brent Porter Dale Snyder Kat Thompson Wayne Toebe Daniel Turlington Britt Wilkins	Brett Barnes Michael Carlson Mike Demiter Kip George Jerry Cammann Garin Erickson Panfilo Gonzalez Jr. Dashia Huff Mark Kamberg Jon McKibben Saul Martinez Matt Mills Carly Nelson Eric Pennala Jon Perry Christina Robison Christian Seavoy David Shaw John Skoglie Lana Strickling Greg Sullivan	(TBD) <u>DOE RL, ORP, WIPP</u> Duane Carter Al Farabee Tony McKarns	Bill Bachmann Dean Baker Scott Baker Paul Crane Tina Crane Ron Del Mar John Dorian Mark Ellefson Darrin Faulk Rob Gregory James Hamilton Andy Hobbs Stephanie Johansen Ryan Johnson Megan Lerchen Mike Lowery Michael Madison Terri Mars Cary Martin Grant McCalmant Steve Metzger Tony Miskho Tom Moon Chuck Mulkey Michelle Oates Kirk Peterson	Dan Saueressig Joelle Moss Glen Triner Greg Varljen Robin Varljen Julie Waddoups Jay Warwick Ted Wooley

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TWO MINUTE TRAINING

SUBJECT: RCRA Point of Generation and Baghouse Dust Collection Systems

Q: A customer has a manufacturing foundry with two baghouse collection systems. One baghouse system has the baghouse dust emptied directly into trucks for offsite treatment and disposal. The other baghouse system is hard piped to a silo and the silo has its dust emptied directly into trucks, which is also shipped offsite for treatment and disposal. The baghouse dust is a characteristic dangerous/hazardous waste. What is the RCRA point of generation (POG) in these two scenarios?

A: For the baghouse system emptied directly into trucks, the RCRA POG is when the baghouse dust is removed from the baghouse unit. As EPA stated in a guidance letter ([RO 11921](#)):

“In such a situation, determining the applicability of RCRA would generally be made when the material is removed from the baghouse.”

EPA said “generally” because there are situations where a baghouse is collecting material that has already been determined to be a solid waste/hazardous waste and in this case the baghouse is a part of the waste management system. In the above scenario, the baghouse is collecting foundry dust via a Clean Air Act (CAA) system and hence the POG does not occur until the baghouse dust is removed from the CAA baghouse system.

For the baghouse system that has the collected dust hard piped to a silo, the RCRA POG is when the baghouse dust is removed from the silo. As EPA state in another guidance letter ([RO 14200](#)):

“Because of the unique situation you described, where enclosed silos are integral to the baghouse dust handling system, we believe that it is reasonable that the applicability of RCRA be determined when the material is removed from the silo. Thus, the silo in this case serves as part of the dust handling system, and would not be subject to RCRA, with the understanding, based on your letter, that the purpose of the overall system is dust collection and conveyance, and that the silo contains the EAF (electric arc furnace) dust, which is hard-piped from the baghouse, protecting it from environmental impacts such as precipitation, so that there are no releases from the silo to soils or groundwater.”

Therefore, in both scenarios, the RCRA POG is when the baghouse dust is removed from baghouse or the silo which in this case is an integral part of the baghouse system. Note that if the baghouses were collecting material already determined to be a dangerous/hazardous waste, the POG would have been determined further upstream from the baghouse units.

SUMMARY:

- The RCRA POG for a baghouse collecting manufacturing foundry dust, is when the dust is removed from the baghouse.
- The RCRA POG for a baghouse collecting manufacturing foundry dust which is then hard piped to a silo, is when the dust is removed from the silo.
- If the dust has already been determined to be a dangerous waste, the RCRA POG has occurred further upstream from the baghouse units.

The EPA guidance letters dated October 19, 1995 and June 1, 1998, are attached to the e-mail. If you have any questions, please contact me at [Paul W Martin@rl.gov](mailto:Paul.W.Martin@rl.gov) or at (509) 376-6620.

FROM: Paul W. Martin

DATE: 10/28/2021

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TWO MINUTE TRAINING – ATTACHMENT

SUBJECT: RCRA Point of Generation and Baghouse Dust Collection Systems

9441.1995(33)

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460**

October 19, 1995

James A. Lively
The TDJ Group, Inc.
760-K Industrial Drive
Cary, Illinois 60013

Dear Mr. Lively:

This letter is written to clarify a point regarding the applicability of RCRA to a foundry manufacturing duct system, as discussed in your August 4, 1995 letter summarizing our July 26, 1995 phone conversation.

As stated in your letter and in our conversation, site-specific determinations of RCRA applicability are made by the appropriate state regulatory agency. As you state in your letter, it is correct that, in general, a material is not considered a solid waste until it is collected in a baghouse or electrostatic precipitator. However, for point of clarification, I should note that this assumes that the material in question (e.g., baghouse dust) results from a production unit, i.e., that the baghouse dust is derived from materials that are not themselves wastes. **In such a situation, determining the applicability of RCRA would generally be made when the material is removed from the baghouse.** However, should the material in the baghouse result from the treatment or other management of a material already determined to be a solid waste, the question of RCRA applicability to the particulate matter will have already been determined because the particulate matter is derived from a solid/hazardous waste and the duct system is, in effect, a part of a waste management process.

Therefore, to correctly ascertain the applicability of RCRA to the process of injecting a chemical additive in a foundry duct system, it is important to know the regulatory status of the materials going into the duct system. While such a distinction has little impact in manufacturing duct systems in general, it may be an important distinction in specific cases. Again, I strongly encourage you to seek a site-specific determination from the state regulatory agency or appropriate EPA Regional office.

Thank you for your interest in making the appropriate regulatory determinations under RCRA. Should you have any questions concerning this response, please feel free to contact me at (202) 260-8551.

Sincerely,

Mitch Kidwell
Environmental Protection Specialist
Generator and Recycling Branch

RO 11921

FROM: Paul W. Martin

DATE: 10/28/2021

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TWO MINUTE TRAINING – ATTACHMENT

SUBJECT: RCRA Point of Generation and Baghouse Dust Collection Systems

----- Attachment -----

The TDJ Group, Inc.
760-K Industrial Drive
Cary, Illinois 60013

August 4, 1995

Mitch Kidwell
US EPA OSW,
Regulatory Development Division (5304)
401 M Street Southwest
Washington, DC 20460

Dear Mr. Kidwell:

I am writing this letter in response to our phone conversation on the morning of July 26, 1995. First, I would like to thank you for your cooperation in discussing the sometimes confusing issue involving the point of generation of a waste in a foundry manufacturing duct system; your input is greatly appreciated. Secondly, I would like to take this opportunity to confirm some of the information that we discussed so that we are clear that the information was not misinterpreted and will not be misrepresented in our future discussions with state agencies. Up front, you were quite clear that appropriate state regulatory bodies should be making their own decisions but that you would be willing to assist them in this capacity if they so desired.

In our discussion, I asked where is the point of generation of a waste in a foundry duct system. Your response was that appropriate state authorities generally do not classify a material as a waste until it is collected in a baghouse or electrostatic precipitator. Further, I inquired about the process of injecting a chemical additive downstream from a gas conditioning tower (cooling tower), but upstream from a baghouse collector. Your opinion was that state authorities might consider the addition of chemical reagents immediately proceeding cooling tower as an action that would not constitute treatment subject to RCRA permit requirements as long as no vents or exit holes were present in the system downstream from the cooling tower.

If we do not receive a response, we will assume that the information herein is correct. If you feel any of the above was incorrectly interpreted during our conversation, please contact us for clarification.

Thank you.

Sincerely,

James A. Lively

RO 11921

FROM: Paul W. Martin

DATE: 10/28/2021

FILE: 2MT\2021\102821.rtf

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TWO MINUTE TRAINING – ATTACHMENT

SUBJECT: RCRA Point of Generation and Baghouse Dust Collection Systems

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460**

OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

Mr. William M. Guerry, Jr.
Collier, Shannon, Rill & Scott, PLLC
3050 K Street, N. W. Suite 400
Washington, D.C. 20007

Dear Mr. Guerry,

Thank you for your letter of December 3, 1997 regarding the management of emission control dust from electric arc furnaces (EAFs), and specifically, requesting a regulatory determination under the Resource Conservation and Recovery Act (RCRA) for silos that collect captured emission control dust from baghouses.

As your letter describes, baghouses that are part of EAF emission control equipment filter out metal fumes and other emissions from the furnace as EAF dust. As the emissions are filtered in the baghouse, the EAF dust settles and collects in hoppers located in the lower portion of the baghouse. Your letter describes how some steel mills are now using baghouse silo systems to improve the management of EAF dust. The silo, located adjacent to the baghouse, receives the EAF dust from the baghouse hoppers via piping. The silo serves as a single collection point for the EAF dust and a single discharge point of that dust to trucks or rail cars.

Your letter mentions that states have considered baghouse silos to be either a component of the EAF's dust handling system in compliance with the Clean Air Act (CAA), or a regulated hazardous waste storage unit (e.g., tank). We believe that a baghouse silo that is directly connected via piping to the baghouse, as described in your letter, is an integral part of the EAF emission control system. We believe that baghouse silos fall within the scope of what the CAA regulations define as a "dust handling system" (40 CFR 60.271a).

Dust-handling system means equipment used to handle particulate matter collected by the control device for an electric arc furnace or AOD vessel subject to this subpart. For the purposes of this subpart, the dust-handling system shall consist of the control device dust hoppers, the dust-conveying equipment, any central dust storage equipment, the dust-treating equipment (e.g., pug mill, pelletizer), dust transfer equipment from storage to truck, and any secondary control devices used with the dust transfer equipment. (emphasis added)

In the baghouse-silo system described in your letter, the EAF dust is conveyed from the baghouse device into the silo, from which the dust is then loaded into trucks or rail cars for transport. As you pointed out, fugitive emissions from the dust handling equipment are subject to CAA requirements. We have stated in the past that "determining the applicability of RCRA [to baghouse dust] would generally be made when the material is removed from the baghouse" (letter from Kidwell to Lively, October 19, 1995; permit policy compendium no. 9441.1995(33)).

RO 14200

FROM: Paul W. Martin

DATE: 10/28/2021

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TWO MINUTE TRAINING – ATTACHMENT

SUBJECT: RCRA Point of Generation and Baghouse Dust Collection Systems

Because of the unique situation you described, where enclosed silos are integral to the baghouse dust handling system, we believe that it is reasonable that the applicability of RCRA be determined when the material is removed from the silo. Thus, the silo in this case serves as part of the dust handling system, and would not be subject to RCRA, with the understanding, based on your letter, that the purpose of the overall system is dust collection and conveyance, and that the silo contains the EAF dust, which is hard-piped from the baghouse, protecting it from environmental impacts such as precipitation, so that there are no releases from the silo to soils or groundwater. EPA would have to analyze separately any baghouse-silo arrangement that did not match the description in your letter to determine whether the silo would be an integral part of the dust handling system and, therefore, not subject to RCRA regulation. In addition, any long-term storage would indicate that the silos are not functioning simply as part of EAF emission control systems, but as waste storage units as well, in which case they could be subject to RCRA requirements.

Please note that because RCRA authorized states may have more stringent requirements than the federal program, we suggest that facilities contact their state agency to determine whether any additional requirements apply. Should you have any questions about the contents of this letter, please contact Jeff Games of my staff at (703) 308-8655.

Sincerely,

Elizabeth A. Cotsworth,
Acting Director
Office of Solid Waste

cc: Matt Hale, OSW
Steve Heare, OSW
Dave Bussard, OSW
William Sonntag, Office of Reinvention
Brian Grant, OGC
Al Vervaert, OAQPS
Christopher Oh, OECA

RO 14200